

REMARKS

Reconsideration of this application is respectfully requested in view of the following remarks and the concurrently filed Terminal Disclaimer.

Claims 1-202 are pending in this Application, with claims 76-116 and 184-201 having been withdrawn from consideration. In the Office Action mailed August 1, 2006:

- Claims 13-16 and 63-75 were objected to as being dependent on a rejected base claim, but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.
- Claims 1-12, 17-62, 117-183 and 202 were provisionally rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1-27 of co-pending Application No. 11/294,476.

The Examiner is thanked for pointing out the presence of allowable subject matter.

Provisional Rejection for Obviousness-Type Double Patenting

In the Office Action, claims 1-12, 17-62, 117-183 and 202 were provisionally rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1-27 of co-pending Application No. 11/294,476. The Examiner entered no other rejections with respect to claims 1-12, 17-62, 117-183 and 202. In order to expedite prosecution of this application and without admitting to the propriety of the rejection (*see M.P.E.P. § 804.02*), a Terminal Disclaimer is being filed concurrently herewith. It is respectfully submitted that the Terminal Disclaimer obviates the provisional obviousness-type double patenting rejection. Applicants therefore respectfully request that the provisional rejection be withdrawn.

Serial No.: 10/665,404
Art Unit: 2878

Attorney's Docket No.: 081468-0305376

Objection to Claims

Claims 13-16 and 63-75 were objected to as being dependent on a rejected base claim.

Inasmuch as base claim 1 should be allowable for at least the reasons indicated above, claims 13-16 also should be in allowable condition. With respect to claims 63-75, it is respectfully submitted that none of claims 63-75 depend from a rejected base claim. Claim 63, in fact, appears in independent form. Accordingly, the objection to claims 63-75 should be withdrawn.

In view of the foregoing, all of the claims in this case are believed to be in condition for allowance. Should the Examiner have any questions or determine that any further action is desirable to place this application in even better condition for issue, the Examiner is encouraged to telephone Applicants' undersigned representative at the number listed below.

Date: October 19, 2006

By:



Guillermo E. Baeza
Registration No. 35,056

PILLSBURY WINTHROP SHAW PITTMAN LLP
1650 Tysons Boulevard
McLean, VA 22102
Tel: (703) 770-7900

GEB/pj

Customer No. 00909